

**REMARKS**

Claims 5-7, 9, 14-16 and 18 have been amended to correct their dependencies and claims 19-35 have been added. Claims 1-35 are in the case, with claims 1-4 and 10-13 being in independent form.

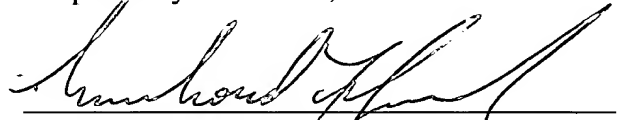
The Office is hereby authorized to charge any additional fees which may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES IN THE CLAIMS**

5. (Amended) The information reproducing method as claimed in [any of claims 2 to 4]

Claim 2, further comprising the steps of:

monitoring whether the read request is issued; and

restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

6. (Amended) The information reproducing method as claimed in [any of claims 2 to 4]

Claim 2, further comprising the steps of:

monitoring a read address of the read request; and

restarting measurement of the average transfer rate if the read address is arranged in a formation other than an increasing order.

7. (Amended) The information reproducing method as claimed in [any of claims 2 to 4]

Claim 2, further comprising the steps of:

determining validity of the average transfer rate on the basis of average transfer rates obtained a number of times of measurement; and

validating the average transfer rate if the average transfer rates obtained a number of times of measurement are close to each other.

9. (Amended) The information reproducing method as claimed in [any of claims 2 through 4] Claim 2, further comprising the steps of:

temporarily storing information read from the information medium in a cache memory;  
pre-reading information if a space is available in the cache memory; and  
causing measurement of the average transfer rate to be initiated when the cache memory is full of data and the pre-reading of information is completed in a case where information is read from the information medium at a maximum rate.

14. (Amended) The information reproducing apparatus as claimed in [any of claims 11 through 13] Claim 11, further comprising:

a monitoring part monitoring whether the read request is issued; and

a restarting part restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

15. (Amended) The information reproducing apparatus as claimed in [any of claims 11 through 13] Claim 11, further comprising:

a monitoring part monitoring a read address of the read request; and

a restarting part restarting measurement of the average transfer rate if the read address is arranged in a formation other than an increasing order.

16. (Amended) The information reproducing apparatus as claimed in [any of claims 11 to 13] Claim 11, further comprising:

a determining part determining validity of the average transfer rate on the basis of average transfer rates obtained a number of times of measurement; and

a validating part validating the average transfer rate if the average transfer rates obtained a number of times of measurement are close to each other.

18. (Amended) The information reproducing apparatus as claimed in [any of claims 11 to 14] Claim 11, further comprising:

a storing part temporarily storing information read from the information medium in a cache memory;

a pre-reading part pre-reading information if a space is available in the cache memory;

and

a part causing measurement of the average transfer rate to be initiated when the cache memory is full of data and the pre-reading of information is completed in a case where information is read from the information medium at a maximum rate.

Please add claims 19-35 as follows:

19. (New) The information reproducing method as claimed in Claim 3, further comprising the steps of:

monitoring whether the read request is issued; and

restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

20. (New) The information reproducing method as claimed in Claim 3, further comprising the steps of:

monitoring a read address of the read request; and  
restarting measurement of the average transfer rate if the read address is arranged in a  
formation other than an increasing order.

21. (New) The information reproducing method as claimed in Claim 3, further comprising  
the steps of:

determining validity of the average transfer rate on the basis of average transfer rates  
obtained a number of times of measurement; and

validating the average transfer rate if the average transfer rates obtained a number of  
times of measurement are close to each other.

22. (New) The information reproducing method as claimed in Claim 3, further comprising  
the steps of:

temporarily storing information read from the information medium in a cache memory;  
pre-reading information if a space is available in the cache memory; and  
causing measurement of the average transfer rate to be initiated when the cache memory  
is full of data and the pre-reading of information is completed in a case where information is read  
from the information medium at a maximum rate.

23. (New) The information reproducing method as claimed in Claim 4, further comprising  
the steps of:

monitoring whether the read request is issued; and

restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

24. (New) The information reproducing method as claimed in Claim 4, further comprising the steps of:

monitoring a read address of the read request; and

restarting measurement of the average transfer rate if the read address is arranged in a formation other than an increasing order.

25. (New) The information reproducing method as claimed in Claim 4, further comprising the steps of:

determining validity of the average transfer rate on the basis of average transfer rates obtained a number of times of measurement; and

validating the average transfer rate if the average transfer rates obtained a number of times of measurement are close to each other.

26. (New) The information reproducing method as claimed in Claim 4, further comprising the steps of:

temporarily storing information read from the information medium in a cache memory;

pre-reading information if a space is available in the cache memory; and

causing measurement of the average transfer rate to be initiated when the cache memory is full of data and the pre-reading of information is completed in a case where information is read

from the information medium at a maximum rate.

27. (New) The information reproducing apparatus as claimed in Claim 12, further comprising:

a monitoring part monitoring whether the read request is issued; and

a restarting part restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

28. (New) The information reproducing apparatus as claimed in Claim 12, further comprising:

a monitoring part monitoring a read address of the read request; and

a restarting part restarting measurement of the average transfer rate if the read address is arranged in a formation other than an increasing order.

29. (New) The information reproducing apparatus as claimed in Claim 12, further comprising:

a determining part determining validity of the average transfer rate on the basis of average transfer rates obtained a number of times of measurement; and

a validating part validating the average transfer rate if the average transfer rates obtained a number of times of measurement are close to each other.

30. (New) The information reproducing apparatus as claimed in Claim 12, further

comprising:

a storing part temporarily storing information read from the information medium in a cache memory;

a pre-reading part pre-reading information if a space is available in the cache memory;  
and

a part causing measurement of the average transfer rate to be initiated when the cache memory is full of data and the pre-reading of information is completed in a case where information is read from the information medium at a maximum rate.

31. (New) The information reproducing apparatus as claimed in Claim 13, further comprising:

a monitoring part monitoring whether the read request is issued; and  
a restarting part restarting measurement of the average transfer rate if the read request is not issued for a predetermined time in measurement of the average transfer rate.

32. (New) The information reproducing apparatus as claimed in Claim 13, further comprising:

a monitoring part monitoring a read address of the read request; and  
a restarting part restarting measurement of the average transfer rate if the read address is arranged in a formation other than an increasing order.

33. (New) The information reproducing apparatus as claimed in Claim 13, further



comprising:

a determining part determining validity of the average transfer rate on the basis of average transfer rates obtained a number of times of measurement; and

a validating part validating the average transfer rate if the average transfer rates obtained a number of times of measurement are close to each other.

34. (New) The information reproducing apparatus as claimed in Claim 13, further

comprising:

a storing part temporarily storing information read from the information medium in a cache memory;

a pre-reading part pre-reading information if a space is available in the cache memory;  
and

a part causing measurement of the average transfer rate to be initiated when the cache memory is full of data and the pre-reading of information is completed in a case where information is read from the information medium at a maximum rate.

35. (New) The information reproducing apparatus as claimed in Claim 14, further

comprising:

a storing part temporarily storing information read from the information medium in a cache memory;

a pre-reading part pre-reading information if a space is available in the cache memory;  
and

[illegible]